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17 *Epic Games, Inc.*

18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **OAKLAND DIVISION**

21 EPIC GAMES, INC.,
22 Plaintiff, Counter-defendant,
23 v.
24 APPLE INC.,
25 Defendant, Counterclaimant.

No. 4:20-CV-05640-YGR-TSH

**DECLARATION OF JOSEPH
KREINER IN SUPPORT OF EPIC'S
MOTION TO SEAL**

The Honorable Yvonne Gonzalez Rogers

1 I, Joseph Kreiner, declare as follows:

2 1. I am Vice President of Business Development at Epic Games, Inc. ("Epic"). I
3 joined Epic in 2011. In my role, I am responsible for Epic's relationships with third parties and
4 have awareness of the anti-cheat measures we employ.

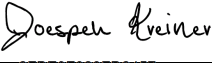
5 2. Certain trial exhibits contain sensitive third-party confidential business
6 information entrusted to and shared with Epic by its partners. Our agreements with those partners
7 require Epic to treat such third-party information as confidential; Epic takes those responsibilities
8 seriously and protects this information as it would its own confidential business information.

9 3. Some of the exhibits contain confidential and highly sensitive third-party business
10 information. If revealed, this information would negatively impact those third parties'
11 competitive standing. For example, certain exhibits disclose the non-public sales, revenue, and
12 other financial information of Epic's partners.

13 4. The other trial exhibit Epic seeks to seal describes key details relating to anti-cheat
14 mechanisms within Fortnite. This internal document contains highly sensitive information that if
15 made public could be used to defraud our customers or allow cheaters to ruin the game
16 experience for our players. Epic takes substantial steps to prevent harm to its community
17 including from cheating. Keeping our anti-cheat mechanisms confidential is essential to their
18 effectiveness. Disclosure of the identified information would allow bad actors to circumvent our
19 anti-cheat measures. For example, if cheat creators knew which anti-cheat mechanisms Epic
20 employs, they will refocus their efforts to circumvent those mechanisms and avoid detection. The
21 public release of this information would cause severe harm to the Epic community.

22 5. A list of the trial exhibits that Epic seeks to seal, with the reasons for each request,
23 is attached hereto as Exhibit A.
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1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
2 and correct and that I executed this declaration on May 14, 2021, in Cary, North Carolina.

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4 DocuSigned by:
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6 2FB59F029FD2437...
7 Joseph Kreiner

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FILER'S ATTESTATION

I, Justin C. Clarke, am the ECF User whose ID and password are being used to file this Declaration of Joseph Kreiner in Support of Epic's Motion to Seal. In compliance with Civil Local Rule 5-1(i), I hereby attest that concurrence in the filing of this document has been obtained from the signatory.

By: /s/ Justin C. Clarke

Justin C. Clarke